

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2457 of 2020

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Dilip Kumar, S/o Late Kedar Nath Singh, Resident of Village-Gajanpur, P.S.-
Paraiya, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
2. The Commissioner, Magadh Range, Gaya.
3. The District Magistrate, Gaya.
4. The Sub-Divisional Officer, Tekari, Gaya.
5. The District Supply Officer, Gaya.
6. The Block Development Officer, Paraiya, District-Gaya.
7. The Block Supply Officer, Paraiya, District-Gaya.
8. Ajay Kumar, S/o Sri Parmeshwar Rai, Resident of Village-Bhairopur, P.S.-
Paraiya, District-Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Respondent/s : Mr.S. Raza Ahmad (Aag5)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

4 18-11-2022 The petitioner is aggrieved by the decision of

the District Selection Committee in not recommending for

and granting license to the petitioner and granting it to

respondent No. 8.

The only reason according to the petitioner for

his not being considered for grant of license is that the

computer ability certificate produced by him did not have



the signature of the person issuing the certificate.

The petitioner has is own explanations for the same.

However, since the license has already been granted to respondent No. 8 and because of the nature of the controversy raised by the petitioner as also in view of the notification dated 21.07.2022 issued by the Government in exercise of the powers conferred under Sections 3 and 5 of the Essential Commodities Act, 1955 read with Clause -36 of the Bihar Targeted Public Distribution System (Control) Order, 2016, we direct that in the event of the petitioner making a suitable representation / complaint before the concerned Divisional Commissioner within a period of 30 days, he shall look into the matter and after hearing all the stakeholders, including respondent no. 8, shall pass a final order within a further period of 60 days, giving reasons in support of the decision taken by him.

The order so passed by the authority shall be made available to the petitioner as well as respondent no.



8 forthwith.

We have specifically asked respondent no. 8 to be heard by the Divisional Commissioner as the present order is being passed in his absence.

The writ petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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(Nawneet Kumar Pandey, J)

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